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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES *ex rel.* FOOTHILLS  
ENERGY SERVICES, INC., a Colorado  
corporation,

Plaintiff,  
vs.

PHILADELPHIA INDEMNITY  
INSURANCE COMPANY, a Pennsylvania  
corporation; SAYERS CONSTRUCTION,  
LLC, a Texas limited liability company;

Defendants.

CASE NO. 2:19-cv-02016-KJD-DJA

**STIPULATION AND ORDER TO  
EXTEND BRIEFING DEADLINES FOR  
MOTIONS FOR SUMMARY  
JUDGMENT**

**[ECF 40, 41]**

**(FIRST REQUEST)**

Plaintiff, Foothills Energy Services, Inc. (“Foothills”), by and through its counsel, Phillip A. Silvestri, Esq. of Greenspoon Marder LLP and Colin P. Baumchen, Esq. (*pro hac vice*) and Amanda C. Hoberg (*pro hac vice*) of Woods Aitken LLP, (collectively referred to as “the Parties”), and Defendants Philadelphia Indemnity Insurance Company (“PIIC”), by and

through its counsel, Kurt C. Faux, Esq. of The Faux Law Group, and Sayers Construction, LLC (“Sayers”), by and through its counsel, Karl O. Riley, Esq. of Cozen O’Conner and Casey Griffith, Esq. (*pro hac vice*), Maeghan Whitehead, Esq. (*pro hac vice*), and Dallas Flick, Esq. (*pro hac vice pending*) of Griffith Barbee PLLC, hereby stipulate and request that the Court extend the deadlines for briefing on Defendants’ Motions for Summary Judgment (ECF 40, 41), and as grounds state as follows:

1. Defendants, PIIC and Sayers filed Motions for Summary Judgment on May 14, 2021 (ECF 40, 41, respectively, collectively the “Motions”).

2. Plaintiff’s response deadline for both Motions is currently scheduled for June 4, 2021.

3. Though Plaintiff is diligently working to respond to the Motions, Plaintiff’s counsel is concurrently preparing for a three-week arbitration that is set to commence on May 31, 2021, and will be unable to devote sufficient time to respond to the Motions with the current deadline, without prejudicing the previously-scheduled arbitration.

4. Due to this scheduling conflict, the Parties have agreed to extend Plaintiff’s deadline to respond to the Motions by three (3) weeks, through June 25, 2021.

5. In addition, the Parties have stipulated that reply deadlines will be extended by a period of ten (10) days, through July 19, 2021.

6. This is the Parties’ first request for extension of this deadline, and it is not intended to cause any delay or prejudice to any party. Defendant does not object to the requested extension.

Dated this 25<sup>th</sup> day of May, 2021

**GRIFFITH BARBEE, PLLC**

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**IT IS SO ORDERED:**



**U.S. DISTRICT COURT JUDGE**

**DATED:** 5/27/2021